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COMPLETE WITHDRAWAL OF FOREIGN MILITARY FORCES FROM THE TERRITORIES OF THE BALTIC STATES

Letter dated 5 May 1993 from the Permanent Representative of Latvia to the United Nations addressed to the Secretary-General

I have the honour to refer to the letter dated 23 April 1993 from the Permanent Representative of the Russian Federation to the United Nations addressed to you transmitting a statement by the President of the Russian Federation of 23 April 1993 (A/48/156). I should like to transmit to you a statement by the Ministry of Foreign Affairs of the Republic of Latvia on the statement by the President of the Russian Federation (see annex I) as well as the text of the resolution entitled "On the grant of temporary residence permits to those persons whose residence in the Republic of Latvia is connected with the temporary location of the Russian Federation Armed Forces in the Republic of Latvia" adopted by the Supreme Council of the Republic of Latvia (see annex II).

I should be grateful if you would have the text of the present letter and its annexes circulated as an official document of the General Assembly under item 32 of the preliminary list.

(Signed) Aivars BAUMANIS
Ambassador Extraordinary and Plenipotentiary.
Permanent Representative
of the Republic of Latvia
to the United Nations

* A/48/50.

ANNEX I

Statement by the Ministry of Foreign Affairs of the Republic of Latvia on the statement by the President of the Russian Federation of 23 April 1993

The statement by the President of the Russian Federation of 23 April 1993, containing the views of the President in regard to the draft resolution entitled "On the grant of temporary residence permits to those persons whose residence in the Republic of Latvia is connected with the temporary location of the Russian Federation Armed Forces in the Republic of Latvia", which was then under consideration by the Supreme Council of the Republic of Latvia, is an apparent attempt to influence the legislative affairs of Latvia.

The Ministry of Foreign Affairs of the Republic of Latvia stresses that the conclusions contained in the statement by the President of the Russian Federation are not applicable to the actual resolution that was adopted on 28 April 1993.

The purpose of the adopted resolution is to define the hitherto undefined legal status with respect to the residence of several categories of persons connected with the units of the Armed Forces of the Russian Federation that are presently based in the territory of Latvia. These categories are the following:

(a) Military persons currently in active service and persons who retired from active military service after 4 May 1990, the date when the Supreme Council of the Republic of Latvia adopted the Declaration on the Renewal of the Independence of the Republic of Latvia;

(b) The spouses of the persons in category (a), even if the couple has been divorced unless the former spouse has remarried, as well as the family members residing with them, if these family members arrived in Latvia in connection with the service of a military person in the Armed Forces of the Russian Federation or of the former Soviet Union; and

(c) Civil persons posted in Latvia in connection with the presence or withdrawal of the Armed Forces of the Russian Federation in Latvia or civil persons registered with the Armed Forces.

Exempt from the provisions of the resolution are citizens of Latvia, members of their families and military persons who at the time of conscription were permanent residents of Latvia.

The number of persons subject to the provisions of the resolution is a few tens of thousands, who for the most part are recent arrivals in Latvia in connection with the activities of the Armed Forces of the Russian Federation or of the former Soviet Union.

It follows that, on the basis of the joint communiqué issued on 1 February 1992 in Riga by State delegations of Latvia and the Russian Federation on the issue of the complete withdrawal of the Armed Forces of the Russian Federation from the territory of Latvia (see S/23591) and other

international instruments on the same subject-matter, in particular General Assembly resolution 47/21, adopted by consensus on 25 November 1992, and the "Helsinki Document 1992 - The Challenges of Change", agreed upon at the Conference on Security and Cooperation in Europe, held at Helsinki on 9 and 10 July 1992, the persons subject to the provisions of the resolution are present in Latvia temporarily, that is, until the Armed Forces of the Russian Federation have been withdrawn from Latvia.

The provisions of the resolution give such persons the right to request and be granted a temporary permit of residence for a time period determined by the withdrawal schedule of the Armed Forces of the Russian Federation. The maximum time period of a permit is one year. Individual extensions of a temporary residence permit are provided for.

The resolution is administrative in nature. Contrary to the statement by the President of the Russian Federation, the resolution does not affect the present citizenship of any person or the human rights of any particular group.

ANNEX II

Resolution entitled "On the grant of temporary residence permits to those persons whose residence in the Republic of Latvia is connected with the temporary location of the Russian Federation Armed Forces in the Republic of Latvia" adopted by the Supreme Council of the Republic of Latvia

Based on the Republic of Latvia Law of 9 June 1992 "On the Entry and Residence of Foreign Citizens and Stateless Persons in the Republic of Latvia" (The Republic of Latvia Supreme Council and Government Reporter, No. 27, 1992), as well as on the Republic of Latvia Law of 11 December 1991 "On the Register of Residents" (The Republic of Latvia Supreme Council and Government Reporter, No. 2, 1992), the Supreme Council of the Republic of Latvia resolves:

1. To establish that in the procedure set by the Republic of Latvia Law "On the Entry and Residence of Foreign Citizens and Stateless Persons in the Republic of Latvia", the following persons have the right to request temporary residence permits:

(1) Military persons who are currently in active service in the Armed Forces and other military units of the Russian Federation (USSR), as well as persons who have retired from active military duty after 4 May 1990.

These provisions shall not apply to those persons who were permanently residing within the territory of Latvia at the time of conscription;

(2) The spouses of persons mentioned in paragraph 1, subsection (1), of this resolution, even if the couple has divorced as well as the family members residing with them - their children, dependants and other relatives - if these persons have arrived in Latvia in connection with the service of a military person in the Russian Federation (USSR) Armed Forces, irrespective of their arrival date in Latvia.

These provisions shall not apply to former spouses of the persons mentioned in paragraph 1, subsection (1), who have remarried;

(3) Civil persons who are registered with units of the Russian Federation (USSR) Armed Forces; and

(4) Civil persons who have been posted in Latvia in connection with the location or withdrawal of the Russian Federation Armed Forces in Latvia.

2. To establish that a temporary permit shall be granted to those persons indicated in paragraph 1 of this resolution for a time period which has been coordinated according to the withdrawal schedule for the Russian Federation Armed Forces, but which is no longer than one year. After expiration of this term, it shall be possible to extend the residence permit on an individual basis.

3. The provisions of this resolution shall not apply to Republic of Latvia citizens or to their family members.

4. To require that, by 1 July 1993, the Government of the Republic of Latvia compile information about the persons mentioned in paragraph 1 of this resolution.

5. The resolution takes effect on the date of its adoption.

Chairman, Supreme Council
Republic of Latvia — A. Gorbunovs

Secretary, Supreme Council
Republic of Latvia — I. Daudiss

The authenticity of the translation is confirmed by the Secretary of the Supreme Council of the Republic of Latvia. For purposes of interpretation, the original Latvian text is to be regarded as official.